



2826/9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nobuhiko Hayashi et al.

Serial No.: 09/898,043

Group Art Unit: 2826

Filed: July 5, 2001

Examiner: Johannes P. Mondt

Customer No.: 38834

Confirmation No.: 2566

For: NITRIDE BASED SEMICONDUCTOR LIGHT EMITTING DEVICE AND  
NITRIDE BASED SEMICONDUCTOR LASER DEVICE (as Amended)

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)(4)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Group Director

Date: October 14, 2003

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached.

~~This Information Disclosure Statement is submitted after the mailing of a final action, a~~  
Notice of Allowance, or an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee.

The undersigned hereby states

XX that each item of information contained in this statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or

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Repln. Ref: 10/17/2003 HVUONG1 0012523400  
DAH:502866 Name/Number:09898043  
FC: 9204 \$770.00 CR

The PTO ~~has~~ received the following  
listed items. *check for \$770.00*

09/898,043

\_ that no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no information contained in this statement was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

Applicants believe that no fee is due with respect to the Information Disclosure Statement. The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this Statement to our Deposit Account No. 50-2866.

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Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



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KHS/elg  
Enclosures: PTO 1449

<b>INFORMATION DISCLOSURE CITATION</b> PTO 1449 E OCT 14 2003 PATENT & TRADEMARK OFFICE	Atty. Docket No. 010849	Serial No. 09/898,043
	Applicant(s): Nobuhiko HAYASHI et al.	
	Filing Date: July 5, 2001	Group Art Unit: 2826

### U.S. PATENT DOCUMENTS

Examiner Initial		Document No.	Name	Date	Class	Subclass	Filing Date (If appropriate)
	AA	6,252,894	Sasanuma et al.	6/26/01			
	AB						
	AC						
	AD						
	AE						

### FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Translation (Yes or No)
	AF	11-251685	9/17/99	Japan	Yes-Abstract
	AG				
	AH				
	AI				
	AJ				

### OTHER DOCUMENTS

	AK	Jpn. J. Appl. Phys., Vol. 38, Part 2, No. 2B (1999), PP.L184-L186
	AL	The Notice of Reasons for Refusal in the counterpart Japanese Application (JP2001-204810) and its translation thereof.
Examiner	Date Considered	

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